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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/523,862

03/09/2005

Althea Rosalind Melanic Hall

CU-4081 RJS

2837

26530 7590 01/24/2008
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EXAMINER

SELLS, JAMES D

ART UNIT

PAPER NUMBER

1791

MAIL DATE

DELIVERY MODE

01/24/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/523,862

Applicant(s)

HALL, ALETHEA ROSALIND
MELANIE

Examiner

James Sells

Art Unit

1791

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over May (US Patent 2,428,979) in view of Neff (US Patent 4,861,404).

May discloses a structural element and a method of making it. As shown in the figures, a plurality of sheets or fabrics are stacked and bonded together along lines of adhesive 18. After bonding, the sheets are cut to size and expanded to form structural elements with honeycomb or lattice structures 26.

However, May does not disclose closing at least some of the compartments at the first end or the second end as claimed by the applicant. Regarding this difference, the applicant is directed to the reference of Neff.

Neff discloses a method of making a honeycomb product by bonding individual leg portions of the ends of honeycomb cells. As shown in Figs. 1-2, open portion or legs 20 of sheets 8 and 10 are heat bonded to form closed cells of honeycomb product

2.

The only open honeycomb cells in the structural element disclosed by May occur at the ends of the sheets. Therefore, it would have been obvious to one having ordinary skill in the art to close these open ends in the compartments of the honeycomb material

with the method of Neff in order to achieve the predictable result of improving the structural integrity of the honeycomb structure being manufactured.

3. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over May in view of Neff as described above in paragraph 2 in further view of Olex (US Patent 4,206,895).

Olex discloses a structural member 2 with a honeycomb core 7. The cells of the honeycomb core 7 may be filled with any suitable potting compound 14 in order to prevent distortion of the panel 2. See col. 2, lines 48-51.

It would have been obvious to one having ordinary skill in the art to fill the cells of the honeycomb structure, as taught by Olex, in the structural element and method of May in view of Neff described above in order to provide the predictable result of preventing distortion.

Response to Arguments

4. Applicant's arguments filed 10/31/2007 have been fully considered but they are not persuasive.

Applicant argues the two ends of the single row of cells in Neff are left open. Therefore applicant asserts Neff does not teach closing the end compartments in the manner claimed by the applicant. The examiner believes applicant has mischaracterized the combination of references used to reject applicant's claims. Neff discloses closing individual honeycomb cells. The only open honeycomb cells in the

structural element disclosed by May occur at the ends of the sheets. Therefore, it would have been obvious to one having ordinary skill in the art to close these open ends in the compartments of the honeycomb material with the method of Neff in order to achieve the predictable result of improving the structural integrity of the honeycomb structure being manufactured. Applicant's claims merely require that *some* of the plurality of compartments be closed. Since this is achieved by the combination of May in view of Neff as described above, applicant's argument is believed to be incorrect in this instance.

Applicant's arguments with respect to claim 12 have been considered but are moot in view of the new ground(s) of rejection.

Telephone/Fax

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James Sells whose telephone number is 571-272-1237. The examiner can normally be reached on M-F 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Tucker can be reached on 571-272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**/James Sells/
James Sells
Primary Examiner
Technology Center 1700**